

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING ONE HUNDRED THIRTY-FIFTH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO
HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO
DEFICIENT CLAIMS ASSERTING INTERESTS BASED ON PUERTO RICO STATUTES

Upon the *One Hundred Thirty-Fifth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based on Puerto Rico Statutes* (Docket Entry No. 9911, the “One

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Hundred Thirty-Fifth Omnibus Objection”),² filed by the Commonwealth of Puerto Rico (“Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), dated January 14, 2020, for entry of an order disallowing in their entirety certain claims filed against the Commonwealth, HTA, or ERS, as more fully set forth in the One Hundred Thirty-Fifth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the One Hundred Thirty-Fifth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the One Hundred Thirty-Fifth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and upon the *Notice of Presentment of Proposed Order (A) Granting in Part the One Hundred Thirty-Fifth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based Upon Unspecified Puerto Rico Statutes, (B) Approving Form of Notice, and (C) Granting Related Relief* (Docket Entry No. 14685), dated October 20, 2020 (the “Notice”), for entry of an order disallowing the Remaining Deficient Claims and the Claims with Undeliverable Addresses (as defined below), as more fully set forth in the Notice; and, upon the record of the hearing held on the One Hundred Thirty-Fifth Omnibus Objection on November 20, 2020, and the rulings made therein, Proofs of Claim Nos. 140954 and 127344 having been found to be deficient; and the Court having determined that the relief sought in the One Hundred Thirty-Fifth Omnibus Objection is in the best

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the One Hundred Thirty-Fifth Omnibus Objection.

interests of the Commonwealth, HTA, ERS, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the One Hundred Thirty-Fifth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the One Hundred Thirty-Fifth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that Proofs of Claim Nos. 140954 and 127344, identified on Exhibit A hereto (the “Remaining Deficient Claims”), and the claims identified on Exhibit D hereto (the “Deficient Claims with Undeliverable Addresses”) are hereby disallowed in their entirety; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed to designate the Remaining Deficient Claims and the Deficient Claims with Undeliverable Addresses as expunged on the official claims registry in the Title III Cases; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: January 15, 2021.

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge